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FILED
DISTRICT COURT OF GUAM
NOV 10 2005
MARY L.M. MORAN
CLERK OF COURT

UNITED STATES DISTRICT COURT

DISTRICT OF GUAM

UNITED STATES OF AMERICA,)	CRIMINAL CASE NO. 05-00053-004
)	
Plaintiff,)	
)	
vs.)	OBJECTIONS TO PRESENTENCE
)	REPORT
JARETT J. ELM,)	
)	
Defendant.)	
_____)	

COMES NOW Defendant, by and through counsel, and for his objections to the presentence investigation report objects to the following:

1. that part of paragraph 39 which states that Defendant was aware of the scope and structure of the conspiracy;
2. paragraphs 50 and that part of 39 which provides for a two level decrease in offense level as an adjustment downward for Defendant's role in the offense.

Defendant's offense level should be reduced by 4 offense levels for his role in the offense. He was unaware of the scope and structure of the conspiracy and his involvement in the conspiracy was minimal.

If Defendant's objections are sustained, his total offense level will be 22.

**USA v. Elm, Criminal Case No. 05-00053-004
Objections to Presentence Report
November 10, 2005**

Defendant believes it will take the Court no longer that fifteen to twenty minutes to resolve the above stated objections.

WHEREFORE, Defendant prays that his objections be sustained.

Respectfully Submitted,

LAW OFFICES OF GORMAN & GAVRAS

Date: November 10, 2005.

By: 

WILLIAM L. GAVRAS, ESQ.
Attorneys for Defendant
JARETT J. ELM

CERTIFICATE OF SERVICE

I certify that I will cause to be served upon the Office of the United States Attorney, Guam and the United States Probation Office, Guam, a true and correct copy of this document on or before November 10, 2005.

LAW OFFICES OF GORMAN & GAVRAS

Date: November 10, 2005.

By: 

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Attorneys for Defendant
JARETT J. ELM